

BOX AF  
RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3738

PATENT  
Attorney Docket No. 101.0078-00000  
Customer No. 22882  
Express Mail No. EV 044 233 542 US

### **CHANGES TO THE CLAIMS**

Please amend the claims as follows:

1. (Twice amended) An interbody spinal implant made of cortical bone for insertion at least in part into an implantation space formed across the height of a disc space between adjacent vertebral bodies of a human spine and into at least a portion of the endplates of the vertebral bodies, the implantation space having a front wall, said implant comprising:

a body manufactured from a bone ring obtained from a major long bone of a human, said body having a perimeter, a leading end for insertion first into the disc space, a trailing end opposite said leading end, and opposite sides, said body having a length along a mid-longitudinal axis of said implant, said leading end having a generally straight portion along a portion of the perimeter of said body adapted to abut the front wall of the implantation space when said implant is installed into the implantation space, said trailing end being at least in part curved along a middle portion of the ~~perimeter of said~~ trailing end body;

opposite upper and lower surfaces adapted to be placed in contact with and to support the adjacent vertebral bodies, said upper and lower surfaces being non-arcuate;

said opposite sides connecting said upper and lower surfaces and said leading and trailing ends; and

Amendment 12-16-02

Received from <7036799303> at 3/12/03 3:26:13 PM [Eastern Standard Time]

an opening passing through said upper and lower surfaces for permitting for the growth of bone from adjacent vertebral body to adjacent vertebral body through said implant.

43. (Twice amended) An interbody spinal implant made of a bone composite material for insertion at least in part into an implantation space formed across the height of a disc space between adjacent vertebral bodies of a human spine and into at least a portion of the endplates of the vertebral bodies, the implantation space having a front wall, said implant comprising:

a body manufactured from a bone composite material, said body having a perimeter, a leading end for insertion first into the disc space, a trailing end opposite said leading end, and opposite sides, said body having a length along a mid-longitudinal axis of said implant, said leading end having a generally straight portion along a portion of the perimeter of said body adapted to abut the front wall of the implantation space when said implant is installed into the implantation space, said trailing end being at least in part curved along a middle portion of the ~~perimeter of said trailing end~~ body;

opposite upper and lower surfaces adapted to be placed in contact with and to support the adjacent vertebral bodies, said upper and lower surfaces being non-arcuate;

said opposite sides connecting said upper and lower surfaces and said leading and trailing ends; and

an opening passing through said upper and lower surfaces for permitting for the growth of bone from adjacent vertebral body to adjacent vertebral body through said implant.

85. (Twice amended) An interbody spinal implant made of cortical bone for insertion at least in part into an implantation space formed across the height of a disc space between adjacent vertebral bodies of a human spine and into at least a portion of the endplates of the vertebral bodies, the implantation space having a front wall, said implant comprising:

a body manufactured from a bone ring obtained from a major long bone of a human, said body having a perimeter, a leading end for insertion first into the disc space, a trailing end opposite said leading end, and opposite sides therebetween, said body having a length along a mid-longitudinal axis of said implant, said leading end having a generally straight portion along a part of the perimeter of said body adapted to abut the front wall of the implantation space when said implant is installed into the implantation space, said trailing end being at least in part curved along a middle portion of ~~the perimeter of said~~ trailing end ~~body~~;

opposite upper and lower surfaces adapted to be placed in contact with and to support the adjacent vertebral bodies, said upper and lower surfaces being non-arcuate;

said opposite sides connecting said upper and lower surfaces and said leading and trailing ends;

an opening passing through said upper and lower surfaces for permitting for the growth of bone from adjacent vertebral body to adjacent vertebral body through said implant; and

said implant being formed by the process of cutting a section of a long bone in a direction transverse to the longitudinal axis of the long bone to form at least a portion of a bone ring and machining said leading end to form said straight portion.

112. (Amended) The implant of claim 111440, wherein said lock is made of one of cortical bone and a bioresorbable material.